THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.13848 OF 2007

ORAL ORDER:

This writ petition is filed seeking a declaration that the order passed by the 1st respondent dated 8.6.2007 under which the authorisation of the petitioner as the dealer of the fair price shop No.10 at Kokkarayapalli village, Chennur Mandal, Kadapa District was suspended pending enquiry, as arbitrary and illegal.

The learned counsel for the petitioner while submitting that in the inspection conducted by the Enforcement Department (C.S) Kadapa on 3.6.2007 and 4.6.2007, no variation of stocks was found in the fair price shop of the petitioner as could be seen from the report dated 5.6.2007, contended that the impugned order, which was passed without application of mind to the gravity of the allegations is unwarranted and liable to be set aside.

A perusal of the impugned order dated 8.6.2007 shows that though no variation was found in the stocks available in the fair price shop, on verification with the available coupons of Rice and kerosene with reference to the sales made as per the Sales Register, a difference of 2.56 quintal of rice and 254 liters of kerosene was found by the inspecting officials. Certainly it is a matter for enquiry by the Revenue Divisional Officer after giving opportunity to the petitioner to put forth his version. Pending such enquiry, it is open to the Revenue Divisional Officer to suspend the authorisation in public interest. In the circumstances, the order of the 1st respondent does not warrant interference by this Court at this stage. However, having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition with a direction to the 1st respondent to complete the enquiry initiated against the petitioner expeditiously and pass appropriate orders order in accordance with law within a period

of six weeks from the date of receipt of a copy of this order, failing which the authorisation of the petitioner shall stand restored. No costs.

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(G. ROHINI, J.)

2nd July, 2007.
Note:
Issue CC in three days.

(Bo)

Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.13848 OF 2007

2nd July, 2007.

Between:

K. Venkata Subbaiah. ..Petitioner.

And

The Revenue Divisional Officer, Kadapa,
Kadapa District and others. .. Respondents.